

### **REMARKS**

Claims 1-8 are pending. Claims 1, 5 and 7 have been amended. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Entry of this Amendment is respectfully requested since the Amendment places the Application in condition for allowance, or at least in better form for appeal.

#### ***Claim Rejections Under 35 U.S.C. § 103***

1. Claims 1-3 and 5-8 were rejected under 35 U.S.C. § 103(a) over Okamoto et al. (U.S. Patent No. 5,317,508) in view of Mauldin et al. (U.S. Patent No. 5,664,227). Applicant respectfully traverses this rejection for following reasons.

Applicants have amended claims 1, 5 and 7 to require that an image satisfying the retrieved color histograms and edge information be retrieved. Neither Okamoto nor Mauldin disclose retrieving any sort of image, let alone retrieving an image satisfying the retrieved color and edge information. For instance, Okamoto is directed to an "Image Editing Apparatus." (Title). As a result, there are no images to be retrieved, as there are no images that are stored in the Okamoto apparatus. Only a single image exists in the Okamoto apparatus – the image being edited at that time. Okamoto in fact merely edits an image using natural language commands. (Abstract). Mauldin also does not retrieve any images, and without a doubt does not retrieve images satisfying the retrieved color histograms and edge information. Accordingly, Okamoto and Mauldin, either alone or in combination, fail to disclose all elements of the present invention.

Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 1, 5 and 7. Claims 2, 3, 4, 6, 8 are believed allowable by virtue of their dependence upon claims 1, 5, and 7.

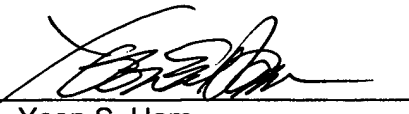
2. Claim 4 was rejected under 35 U.S.C. § 103(a) over Okamoto in view of Mauldin and further in view of Jain et al. (U.S. Patent No. 5,983,237). Jain does remedy the deficiencies of Okamoto and Mauldin as demonstrated above. Claim 4 is therefore believed allowable for at least the reasons presented above with respect to claim 1 by virtue of its dependence from claim 1.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that all of pending claims 1-8 are now in condition for allowance and a notice to that effect is earnestly solicited. If any issues remain to be resolved, the Examiner is cordially invited to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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Date: September 22, 2006